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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARIA VICTORIA, INC.,

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 9-22-09

Case No. 08 CV 8288(JSR)

Plaintiff,

**ORDER GRANTING
PLAINTIFF'S MOTION FOR
DEFAULT JUDGMENT
AGAINST ALFA QUALITY
PRODUCE, INC. and MOUIZ
KHALIFEH**

ALFA QUALITY PRODUCE, INC., MOUIZ
KHALIFEH, Individually and in any corporate capacity,

Defendants.

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Upon consideration of the Plaintiff's motion for entry of a default judgment against defendants ALFA QUALITY PRODUCE, INC. and MOUIZ KHALIFEH, Individually and in any corporate capacity, and the Declarations of Vincent DeSomma, President of Plaintiff Maria Victoria, Inc., and the Plaintiff's attorney, Timothy J. Fierst, Esq., and there being no opposition thereto, and it appearing to the Court that defendants ALFA QUALITY PRODUCE, INC. and MOUIZ KHALIFEH failed to plead or otherwise defend in this action; and that a principal balance in the amount of \$ 63,014.60 is due Plaintiff, and that Plaintiff is entitled to contract interest in the amount of \$ 15,346.10, pursuant to the parties' agreement, and that Plaintiff is entitled to an award of attorneys' fees in the amount of \$ 26,120.23,

pursuant to the parties' contract, and that Plaintiff has the right to recover against ALFA QUALITY PRODUCE, INC. and MOUIZ KHALIFEH pursuant to Section 5(c) of the Perishable Agricultural Commodities Act, 7 U.S.C. §499(e)(a-c) ("PACA"), it is hereby granted; and it is further

ORDERED, that Plaintiff's motion for entry of a default judgment be, and is hereby, granted; and it is further

ORDERED, ADJUDGED AND DECREED, that judgment is hereby entered in favor of Plaintiff, Maria Victoria, Inc., 550 Smithtown Bypass, Suite 212, Smithtown, New York, and against ALFA QUALITY PRODUCE, INC. and MOUIZ KHALIFEH, 8052 Preston Court, Brooklyn, New York, pursuant to PACA in the principal amount of \$ 63,014.60, plus contract interest in the amount of \$ 15,346.10, and an award of attorneys' fees and costs in the amount of \$ 26,120.23, for a total judgment of \$ 104,480.93.

ENTERED this 22nd day of September, 2009.



U.S.D.J.